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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 15

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Mr. Bengoa, Mr. Bossuyt, Mr. Chernichenko, Ms. Daes, Mr. Eide,
Mr. Guissé, Mr. Hatano, Mr. Hakim, Mr. Khalil, Mr. Khan,
Mr. Ramadhane, Ms. Warzazi and Mr. Yimer: draft resolution

Draft United Nations declaration on the rights of indigenous peoples

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolutions 1985/22 of 29 August 1985, 1991/30 of 29 August 1991, 1992/33 of 27 August 1992, 1993/46 of 26 August 1993,

Taking into account, in particular, paragraph 3 of its resolution 1993/46, in which it decided to postpone until its forty-sixth session consideration of the draft United Nations declaration on the rights of indigenous peoples agreed upon by the members of the Working Group, to request the Secretary-General to submit the draft declaration to the appropriate services in the Centre for Human Rights for its technical revision, and to submit, if possible, the draft declaration to the Commission on Human Rights with the recommendation that the Commission adopt it at its fifty-first session,

Recalling Commission on Human Rights resolution 1994/29 of 4 March 1994, in which the Sub-Commission was urged to complete its consideration of the draft United Nations declaration at its forty-sixth session and to submit it to the Commission at its fifty-first session together with any recommendations thereon,

Bearing in mind General Assembly resolution 47/75 of 14 December 1992, paragraph 12 of Commission on Human Rights resolution 1993/30 of 5 March 1993, paragraph 6 (a) of Commission resolution 1993/31 of 5 March 1993 and paragraph II.28 of the Vienna Declaration and Programme of Action,

Having considered the report of the Working Group on Indigenous Populations on its twelfth session (E/CN.4/Sub.2/1994/30), in particular the general comments on the draft declaration and the recommendations contained in chapters II and IX of the report respectively,

Taking into account the technical review of the draft declaration prepared by the Centre for Human Rights (E/CN.4/Sub.2/1994/2 and Add.1),

1. Expresses its satisfaction at the conclusion of the deliberations on the draft United Nations declaration on the rights of indigenous peoples by the Working Group on Indigenous Populations and the general views of the participants as reflected in the report of the Working Group on its twelfth session;

2. Expresses its appreciation to the Chairperson-Rapporteur of the Working Group, Ms. Erica-Irene Daes, and to the present and former members of the Working Group for their contributions to the process of elaboration of the draft declaration;

3. Expresses its appreciation to the Centre for Human Rights for its technical revision of the draft declaration;

4. Decides:

(a) To adopt the draft United Nations declaration on the rights of indigenous peoples agreed upon by members of the Working Group as contained in the annex to the present resolution;

(b) To submit the draft declaration to the Commission on Human Rights at its fifty-first session with the request that it consider the draft as expeditiously as possible;

(c) To request the Secretary-General to transmit the text of the draft declaration to indigenous peoples and organizations, Governments and

intergovernmental organizations and to include in the note of transmittal the information that the draft declaration is to be submitted to the Commission on Human Rights at its fifty-first session;

(d) To request the Chairman-Rapporteur of the Working Group to prepare an analytical note on the articles of the draft declaration and to submit it with the draft declaration to the Commission on Human Rights at its fifty-first session;

(e) To request the Centre for Human Rights to include the draft declaration, as adopted by the Sub-Commission, as an annex to the revised Fact Sheet No. 9 and given the widest possible distribution;

5. Recommends that the Commission on Human Rights and the Economic and Social Council take effective measures to ensure that representatives of indigenous peoples are able to participate fully in the consideration of the draft declaration by these two bodies, regardless of their consultative status with the Economic and Social Council.

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